

REMARKS

Claims 9-16 and 20-28 were pending. The Examiner rejected claims 11-12 and 26-28 under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the written description requirement, and claims 9-16 under 35 U.S.C. §101 as being allegedly directed to non-statutory subject matter. The Examiner also rejected claims 9-10, 13-16 and 20-25 under 35 U.S.C. §102(e) as being allegedly anticipated by Hayashi (U.S. Patent Publication 2004/0081334). In response, Applicants have amended claims 9, 11, and 23, canceled claims 20-22 and 24-28, and added claims 29-47. Thus, claims 9-16, 23 and 29-47 are now pending.

In view of the preceding amendments and the following remarks, all claims are believed to be in condition for allowance over the references of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including grounds of rejection and/or the separate patentability of the dependent claims not explicitly addressed herein, in future papers.¹ Further, for any instances in which the Examiner takes Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Claim Rejections Under 35 U.S.C. §101

The Examiner rejected claims 9-16 under 35 U.S.C. §101 as being allegedly directed to non-statutory subject matter. Specifically, the Examiner contends that claim terms “pixel”, “pixel elements” and “decryption logic” are non-statutory because they can be software implemented. Applicants respectively disagree with the Examiner’s position on each of these matters, however, in an effort to expedite these claims to issue, Applicants have amended claim 9 to address of the alleged deficiencies. Therefore, in view of the foregoing, Applicants respectfully request withdrawal of the rejection under §101.

Claim Rejections Under 35 U.S.C. §112

The Examiner rejected claims 11-12 and 26-28 under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the written description requirement because the claims allegedly contain subject matter not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention at the time the application was filed. With respect to claims 11 and 12, Applicants have amended claim 11 to recite “decryption logic” rather than “decryption logic devices.”

With respect to claims 26-28, the Examiner contends that the specification fails to disclose that the “decryption logic is a physical circuit.” Applicants respectfully disagree.

Contrary to the Examiner's assertion, support for this claim terminology can be found in the specification at paragraph [0018]. Although Applicants have been canceled claims 26-28, rendering this portion of the rejection moot, similar claim terminology has been used in several of the newly added claims and is supported by paragraph [0018] of the specification. Accordingly, Applicants request withdrawal of the rejections under §112.

Claim Rejections Under 35 U.S.C. §102

Claims 9-10, 13-16 and 20-25 were rejected under 35 U.S.C. §102(e) as being allegedly anticipated by Hayashi (U.S. Patent Publication 2004/0081334). Applicants respectfully traverse the rejection.

Independent claim 9 as amended is directed to a digital picture display device, comprising:

a plurality of pixel elements arranged in an array and each configured to illuminate to form a picture in response to a digital data stream representing digital picture information; and

decryption logic configured to receive an encrypted data stream from a source device and to decrypt picture information from the encrypted data stream for at least a first portion of the plurality of pixel elements with a first decryption key and to decrypt picture information for at least a second portion of the plurality of pixel elements with a second decryption key. (emphasis added).

Independent claim 23 as amended is directed to a micro electronic device, comprising:

an array of display pixels collectively configured to display visible images; and

a plurality of decryption logic components, each decryption logic component associated with one or more display pixels and

configured to decrypt video data directed to the respective group of display pixels. (emphasis added).

Independent claim 29 is directed to a system, comprising:

a source device including:

a plurality of source pixels arranged into a plurality of regions, each region having at least one source pixel configured to capture digital picture information; and

encryption logic configured to encrypt the captured digital picture information in at least one of the regions using a plurality of encryption keys;

a receiving device in communication with the source device, the receiving device including:

a plurality of receiving pixels configured to illuminate to form a picture in response to the digital picture information; and decryption logic configured to decrypt the encrypted digital picture information received from the source device using a plurality of decryption keys. (emphasis added).

Independent claim 47 is directed to a method, comprising:

arranging a plurality of source pixels in a source device into a plurality of regions, each region having at least one source pixel configured to capture digital picture information; and

encrypting the captured digital picture information in at least one of the regions using a plurality of encryption keys;

arranging a plurality of receiving pixels in a receiving device wherein the receiving pixels are configured to illuminate to form a picture in response to the digital picture information;

transmitting the encrypted digital picture information to the receiving device as an encrypted data stream across a network; and

decrypting the encrypted digital picture information received from the source device using a plurality of decryption keys. (emphasis added).

The Hayashi reference does not teach or suggest the features of independent claims 9, 23, 29 or 47 as recited above.

Hayashi discloses a technique for encrypting compression-coded data of a digital image. (Hayashi, page 1, paragraph [0001]). The compression-coded image is segmented into a plurality of rectangular regions. Each rectangular region is independently encoded by a wavelet transform. This rectangular region is called a "tile." A code stream corresponding to an encoded tile can be further segmented into at least one region called a "tile part." (Hayashi, page 2, paragraph [0049]). If the order of the tile parts in all the tiles are maintained, any tile part from another tile can be inserted between tile parts. Each tile part is formed from a header field and data field. (Hayashi, page 3, paragraphs [0055] and [0061]). Clearly, a tile having a tile part that includes a header field and a data field cannot be considered a pixel element, a display pixel, a source pixel or a receiving pixel as recited in claims 9, 23, 29 and 47. To the extent that the Examiner intends to take Official Notice that one of ordinary skill recognizes that a tile having a tile part that includes a header field and a data field is the same as a pixel display, pixel element, source pixel or receiving pixel, Applicants seasonably request support for the taking of Official Notice, as provided by 37 CFR 1.104(d)(2) and MPEP § 2144.04.

Moreover, Hayashi does not teach or suggest a system or method that includes a "source device" or a "receiving device" as recited in claims 29 and 47, or the step of "transmitting the encrypted digital picture information to the receiving device as an encrypted data stream across a network," as further recited in claim 47.

Thus, for any of the reasons set forth above, independent claims 9, 23, 29 and 47 are patentable over the cited art and in condition for allowance.

CONCLUSION

Reconsideration and allowance are respectfully requested. In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Any fee due with this response has been addressed in an accompanying transmittal. Please charge our Deposit Account No. 08-2025, under Order No. 200308974-1 from which the undersigned is authorized to draw.

Dated: October 6, 2008

Respectfully submitted,

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